

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Saad Moussa

v.

Civil No. 12-cv-014-SM

Warden, New Hampshire State Prison

O R D E R

Saad Moussa has filed a petition for a writ of habeas corpus in this court (doc. no. 1). Before the court is Moussa's motion to stay this action (doc. no. 4), asserting that he is still in the process of exhausting some of the claims raised in the petition in the state court.

The motion to stay (doc. no. 4) is granted. This matter will be stayed pending exhaustion of all of Moussa's claims in the state courts.¹ While the action is stayed, Moussa is directed to:

1. Provide this court with a status report regarding the status of the state court proceedings every ninety days, beginning ninety days from the date of this order;

2. Once the New Hampshire Supreme Court has issued a final decision in the state court proceedings, file a motion to


¹Moussa filed a second habeas action simultaneously with this action. See Moussa v. Warden, 12-cv-15-JL. This order, granting Moussa's motion to stay, applies only to the above-captioned action, Moussa v. Warden, 12-cv-14-SM.

lift the stay in this matter, within thirty days of the date of the New Hampshire Supreme Court's decision, and attach as an exhibit to the motion a copy of the New Hampshire Supreme Court's decision; and

3. File an amended habeas petition, within thirty days of the New Hampshire Supreme Court's final decision, demonstrating exhaustion of his state court remedies for all of the federal claims raised in the petition. To do so, Moussa should file as exhibits to his petition in this court any motions, notices of appeal, briefs, state court decisions, or other documents that were part of the New Hampshire Supreme Court docket, which demonstrate that the claims in the petition are exhausted.

Failure to comply with this order may result in this court's recommendation that the petition (doc. no. 1) be dismissed without prejudice for failing to demonstrate exhaustion.

SO ORDERED.



Landya McCafferty
United States Magistrate Judge

Date: March 15, 2012

cc: Saad Moussa, pro se

LBM:jba